IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 287 OF 2005

IN

FIRST APPEAL NO. 19 OF 2003

DR.EDGAR SILVEIRA ....Applicants

Versus

SPECIAL LAND ACQUISITION OFFICER(SOUTH GOA) AND ANR., ...Respondents

Shri A. F. Diniz, Advocate for the applicant.

Shri E. Afonso, Advocate for the respondents.

Coram:- S.S. PARKAR, J.

Date:- 6th July, 2005

P.C.

Heard both sides. Though the figure mentioned in paragraph 5 of the application is Rs. 9,45,305/-, the learned Advocate for the applicant has given calculation sheet, as per which the applicant is entitled to a sum of Rs.8,72,232-18 along with the proportionate accrued interest and the balance amount of Rs.44,527-81 along with the proportionate accrued interest is required to be refunded to the respondent-Corporation. The learned Advocate for the respondent-Corporation agrees with the said calculation.

In the circumstances, out of the amount invested in the fixed deposit, a sum of Rs.8,72,232-18 along with the proportionate interest, shall be paid to the applicant and the balance amount of Rs.44,527-81 along with the proportionate accrued interest shall be refunded to the respondent-Corporation i.e. the Konkan Railway Corporation Ltd.

This application is allowed accordingly.

S.S. PARKAR, J.